

Vol. 1 N^o 2

E S S A Y

ON THE

ORIGIN AND PROGRESS

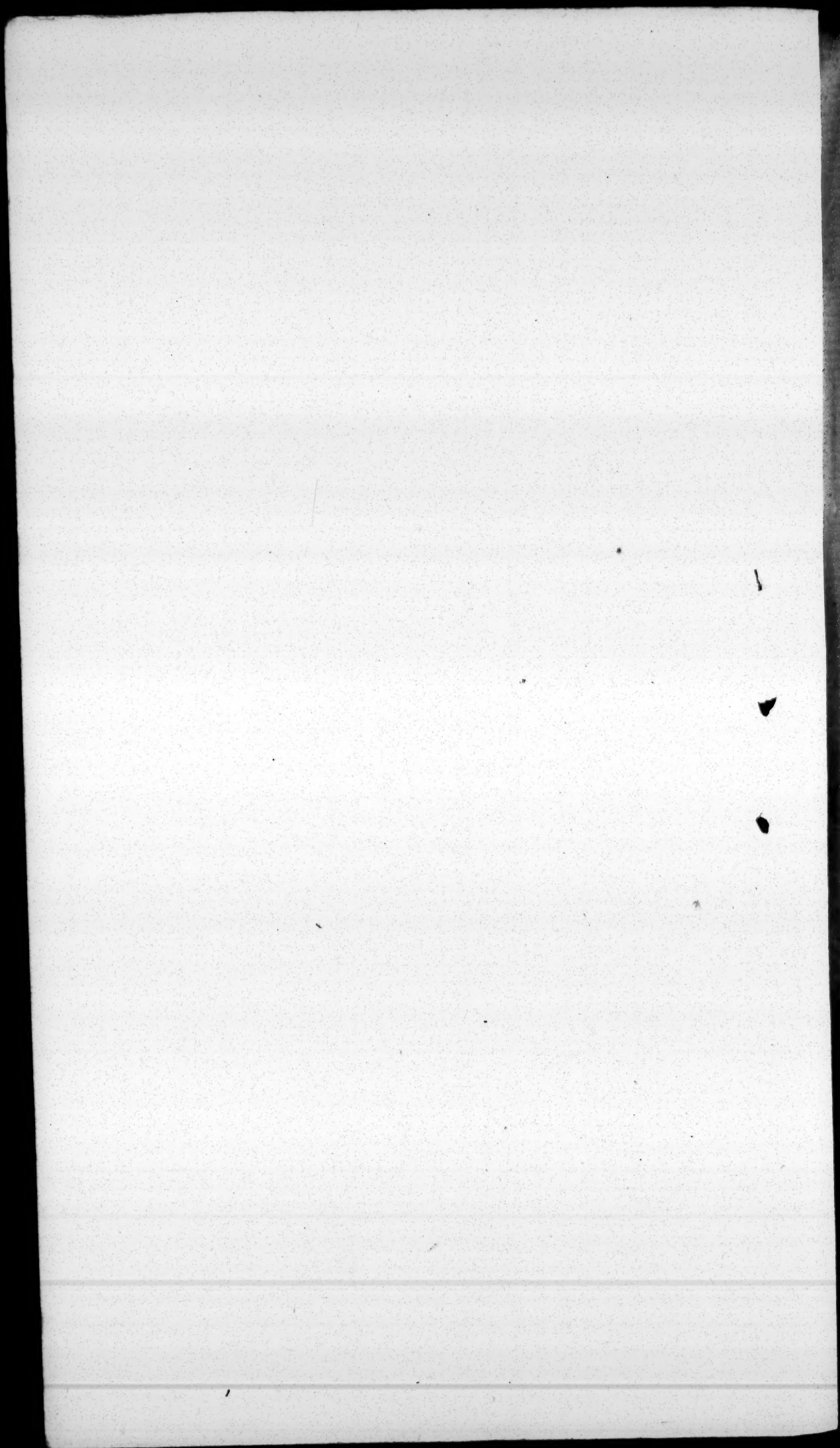
OF

GOVERNMENT.

L O N D O N :

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M DCC LXXXII.



TO THE HONOURABLE

WILLIAM PITT, Esq.

S I R,

I HAVE presumed to address this Essay to you, not with the hope of sheltering dulness under your protection, for dulness cannot be sheltered ; nor for the purpose of self-interest, for you will never know my name ; and still less from an expectation of conveying information to you ; but merely out of gratitude for the safety and honour derived to me, among millions of other Britons, from the disinterested wisdom, and sublime abilities of your noble Father.

I remember the time when the nation seeming lost in langour, he stepped forth an irresistible champion, against its open and triumphant enemy. That you may
with

DEDICATION.

with equal success, and equal glory, rouse the torpid, confirm the wavering, and guide the resolute defenders of the Constitution against its lurking and profligate enemies, is the well grounded hope and ardent wish of every one who has the honour of being

A True Englishman.



A N

E S S A Y, &c.

A CERTAIN set of people have lately arrogated to their faction, the title of supporters of government.

Government must be supported is their cry; and none will refuse their assent to it as a general proposition or axiom; and few will applaud the ingenuity of the discovery. But the confidence of the speakers has seduced many well meaning, ill-informed men into the support of faction. But if these worthy men once perceive, that by government, this faction means every measure or wish of our governors, or ministry, right or wrong, foolish or execrable; they will turn from them with abhorrence, nor persevere in acting as if they held the ministry to be infallible and impeccable.

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To support the constitution would be a more welcome sound to my ears ; though it seems to have had, of late, very little effect upon the nerves of a numerous, though I cannot say considerable party of our countrymen. Perhaps, however, it might not be amiss, if many of those who are so fond of the imagination of supporting government, would attend a little to the constitution, remark the origin, progress and end of government in general, compare the glorious possibilities of the British constitution, (as Lord Peterborough expresses it) with the imperfection of others, enquire why it has not of late produced its usual effects for the welfare of this nation, and to consider of remedies, if such are requisite.

The proper office of human reason is to search for the will of the Creator, whose will alone is true wisdom. Let us, therefore, with reverence attempt to trace the will of God, both revealed and unrevealed, with regard to man, and his station in this world.

Some melancholy sons of superstition tell us, that man is intended to walk in this world as in a vale of misery ; and consequently, the most gloomy solitude, or the worst state of society and government, must be the best for that purpose. But the holy writings and the book
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of nature, in every page, declare the goodness of God to mankind, and his will that all his creatures should enjoy all the happiness their nature and state will admit.

It does not appear that the Almighty, in his revealed will, has originally appointed to mankind any particular mode of being ruled, nor even expressly that one man should rule over another. We find men ruled, before we find any express command in the holy writings that they should be ruled.

The people under God's peculiar guidance, were ruled by prophets, chieftains, judges and kings. If any of these modes of government were *jure divino*, were exclusively approved and appointed by God, it is astonishing that his peculiar people should not have been directed to that particular choice of governors.

The unrevealed will of the creator can be gathered only from considering his works: the nature and powers given to each afford the only ground on which we may form a reasonable conjecture of his intention with regard to the same.

Providence has allotted to all its creatures, talents and resources, according to their wants;

to the inhabitants of the various elements, powers adapted to their happiness, and indicative of their intended course of life.

Society, considered as the reverse of solitude, as number to unity, seems the general, though not universal element in which animals live, and the peculiar element of man, who cannot enjoy happiness, nor can the race exist, in a state of solitude. The imbecillity and indiscretion of his infancy and youth, continuing for a time exceeding the duration of the life of most animals, demands an attention from his parents and others, which shews the peculiar necessity of society for him in that state of life; nor does he seem in any other stage, gifted with instinct, or powers of mind, sufficiently strong and sublime to enable him to run his course through this world, clear of society.

Government, which is the authority of one being over another, from slight influence up to despotic power, is so indispensable to beings intended for society, that from the deer, the commonry of the forest, to the lowing and bleating herds under the subjection of man, they all are influenced and directed by the strongest and most sagacious among them, which are nearly of the same use to the adult, as the parent to its young offspring.

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We are assured by reason and convinced by the scripture, that a family was the first rudiment of society. The tender care and authority of parents in our infancy and youth, is sufficient to restrain those desires which might be prejudicial to the individual. Implicit obedience in the child, to the absolute authority of the parents, is then necessary, because of its ignorance of good and evil, and because such an authority in parents is rarely abused. If a child desires bread or a fish, he will not receive a stone or a serpent. Yet experience has shown that parents sometimes forget their duty, and must be overlooked by the society.

When the child is grown up to manhood, hope and fear, aided by the better sentiments of gratitude and reverence, will form an habit of obedience to the parent. Thus all the descendants of a patriarch would, and we know from the sacred writings, actually did, pay him implicit obedience. Habit, more powerful perhaps than all passions and sentiments, would conspire with them, and after the patriarchs death, produce obedience to the son most distinguished by the deceased parents approbation, by the greatness of his own abilities, or the goodness of his disposition. It does not appear to me; that a brother, because born before the others, has a natural inherent right to command

command them ; but as one must have the preference by some established rule, in a civilized state, the general but not universal consent of nations, has given it to the elder son, for which sufficient reasons might be alledged.

Sir Robert Filmer, I acknowledge, was of another opinion. His system that mankind cannot be free, nor entitled to freedom, he deduces from these two propositions, that men are born in subjection to their parents, and that the father's authority descends to his eldest son, and is indefeasible in him and his representatives. If Lady Filmer had written a system, she would have devolved the authority upon the eldest daughter, as the mother's representative. Cain, however, being his father's eldest son, and having fine talents for government, began his reign with the murder of his only subject, his brother Abel. I am at a loss, in thinking how Sir Robert could reconcile his allegiance to the indefeasible representative of Cain, with his loyalty to Charles and James Stuart.

Whoever might be acknowledged the head of these little patriarchal societies, wisdom and industry would have room to operate and produce their natural effects. The best counselors, the most industrious, and he who incurs the

the greatest danger, has generally wisdom, perseverance and spirit enough to take his full share of the good things procured to the society by these virtues. Hence would arise distinctions, and honours; and merit would have its reward, perhaps, like that of Ajax in the heroic age, by the first cut at the sirloin, and liberty to drink without stint, wine unmixed with water.

In process of time, however, emulation and partiality would occasion divisions and brawls, and at length the patriarch family would separate into parts; some more numerous would live together in one place, and in others solitary couples would brood over enmity to one another and to the united. Enmity would soon burst into a flame; disputes and quarrels, would end in hostilities between the pigmy states, about various matters, hunting grounds and pastures for instance, the present objects of dispute to fox hunters and American savages. At length, some Nimrod, or hunter of men strode forth, and decided a dispute by violence in favour of his own and his family's wishes, and assumed the government of those whom his prowess had subdued, and perhaps of those whom it had served. Thus began the downfall of the first state of government, the patriarchal.

Other

Other men, of aspiring souls, soon followed the bright example, and erected monarchies of various extent, but in general very minute; as the good patriarch Abraham with his own family only, overthrew, at once, no less than four victorious monarchs, and Homer represents a rabble of Kings in the small Island of Ithaca, endeavouring to starve Penelope into marriage, and royally devouring the chinees of beef, and flitches of bacon, which she had provided for his Majesty Ulysses. It is highly probable that the world was once divided among such petty monarchs, from the rajahs of the east, to the lairds of the western islands of Scotland. Our own island was certainly partitioned in that manner; Cæsar was attacked at once by four kings, so called by him, of a part only of Kent. Homer, from whom as an historian of manners there is no appeal, informs us that Greece was so divided in the heroic age; and his *Odyssæy* presents to us, with a little addition of splendor, the manners and very age of an old Celtic hero, or an Hebridian chieftain of not a very remote age; the numbers of their subjects much the same, and black cattle the general cause of quarrel to both the Grecian and Celtic chieftains.

χωρμενοι περι βασιν.

It cannot now be easily ascertained whether these *reguli* succeeded one another from father

to

to son, or were elected out of the people at large, or the family of the chieftains. From the nature of mankind we may indeed rationally suppose, that a worthy or artful son would often succeed his father ; but we know, that among our forefathers the Anglo-Saxons, the next heir was often excluded from the throne, and that among the Celts and their descendants, the brother of the *tigbearn*, or chieftain, was elected *tanigh* during the life of the chieftain, and succeeded to his authority upon his death, as the king of the Romans to the empire of Germany. It is remarkable, that the custom of *tanistry* prevails at present at Mindanao, and some other parts of the East-Indies, as we are informed by Captain Forrest.

It may be presumed that the government of these little monarchs was at first mild, and directed to the benefit of those who had been used rather to govern themselves : If otherwise, the world lay wide before them, and they might easily withdraw themselves, as, in the sixth century, the subjects of Chilperic, King of Soissons, all ran away, and left him to reign alone without interruption, and as of late the subjects of the high and mighty lairds of the Highlands of Scotland, have shipped themselves, by hundreds for America.

Experience, in time, shewed the people the necessity and expediency of making some compact with their chieftain, and establishing laws, by which his will should be restrained, and themselves governed; and he thinking to reign upon any terms was worth ambition, promised, with no small reluctance, to govern agreeably to the regulations made for guarding the happiness of his subjects, and broke through them without any reluctance at all.

A small state, under whatever form of government, is exposed to that great evil, partiality. We all know that jealousies, and heart-burning, are more violent in a small town, than in a great city.

The tyrants over small islands or cities, are among the most detestable monsters in history. Jealousy suspected all men, and perfected the evil the seduction of authority had committed: when once their subjects were disgusted by a wrong act, the tyrant could not conceive there was any resource left, but in the destruction of those whom he had injured. The mutual animosities of the subjects with one another, or with their prince, had not room to exhale, but clouded every corner of the little district. The unhappiness of such states was in the reverse proportion of their extent. If the subjects, by
caprice

caprice or necessity, were prevailed upon to dethrone their Prince, one of the artful ringleaders usually succeeded him in the goodness of his promises, and his manner of keeping them. They seldom were inclined or dared to trust one of their tyrant's family to succeed him; and no hereditary respect for right, or family, had time to grow up in the breasts of the subjects. Thus these little states wanted that pledge of internal tranquillity, the absurd, but useful reverence for a long established family, which produces many happy effects in larger monarchies, and particularly in the present European kingdoms.

These petty monarchies were equally deficient in means to repel a foreign enemy. Even if several joined together, their want of subordination and of confidence in one another, and the weakness of their union, produced a proportionable weakness of defence. Their best defence was woods, rocks and marshes, in which however, like the antient Britons, *dum singuli pugnant, universi vincuntur*. And many of these reguli were destroyed or expelled by their subjects, who were too much alarmed by past evils, to put it in the power of any man to renew them, by being entrusted with supreme authority, even though circumscribed by a multitude of wise regulations.

Hence the people, judging themselves qualified to be their own governors, instituted small Republics, as in Greece, Italy, and Phœnicia.

To this period, the revolutions in states and changes of their constitutions or government proceeded from internal causes; but as mankind became more numerous, the external causes of confederacy and conquest began their operations, and produced Republics of great extent, despotic, and absolute monarchies.

It is scarcely less audacious and imprudent now, to hint a supposition, that the republican form of government can have any merit, than during the profligate league of Charles the second with the King of France to destroy the Republic of Holland, and religion and freedom in England. Yet I remember the time, which is not long past away, when to say a person was of republican principles, was esteemed a compliment, and very justly; for by it was meant, a person who consulted the welfare of all ranks of the nation, who detested the Pretender and his claim, (and not the less for his religion) and who was a devotee to the principles of the revolution, the liberty of the subject, and the protestant religion, and, as subordinate to these, to the succession of the
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House of Hanover, by which all these have been so gloriously maintained, and I trust will be so till time and Britain shall be no more.

Agreeably to this idea of a man of republican principles, the last Duke of Buckingham, though in his conduct a tory, thought to do himself honour with posterity, by inscribing on his monument the whig's test :

Pro Rege sæpe, pro republica semper.

Oft' for my King, always for my country.

Times and ideas are now changed. Whoever doubts the propriety, or even the certainty of the success of the public measures now adopted, is called a Presbyterian, Oliverian, or damned leveller, or, to include all reproach in one word, a republican.

Yet why such rage at the name of a republic?—Did not David Hume, in his unpensioned day, give the sketch of a republic, which he thought preferable to the British constitution? Does not the western part of the world at least, owe the arts of commerce, navigation and the mechanic arts to the Phœnician republics; to Sparta the art of war; to Athens and the other Grecian republics the arts of elegance, and the most beautiful exertions of the imagination and reason?

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By the Grecian and the Roman republicks, all the arts and sciences that could adorn, instruct, and protect mankind, and also policy, legislation, and morality, were carried to the highest perfection which human nature, unsupported by revelation, can attain. Cease then, ye would-be slaves, to detest freemen; cease, ye unworthy scholars, to reproach your masters.

Yet all these states had some radical evil or imperfection. The Phœnician republics were formed for commerce chiefly, Sparta for war in narrow limits, Athens not for duration in a state of lustre, and the Roman republic for the conquest of the world. The balance was so ill adjusted between the orders of the Roman state, that the weight of war was always necessary to be thrown into one or the other scale, to preserve the balance in equilibrio, and maintain the public tranquillity; and foreign war being at an end, by there being no enemies left, ambition had no other food than civil dissensions, and the riches and honours which seemed to lie common to all, and to which every bold spirit asserted his right, by every means the most pernicious and destructive to the public tranquillity.

Republicks.

Republicks are of an elastic nature: while compressed, their resistance is prodigious, and their virtues great; but a state of compression can only be comparative felicity and perfection. There is a very great and inherent imperfection in all republics. If small, they want defensive powers; if larger, tranquillity. They may subsist in miniature, as a nation of husbandmen, or shepherds, as the Arcadians; or of commerce, as some of the petty Grecians, and in later ages, of the Italian republics; but the subjects, exclusively of the danger of foreign enemies, necessarily fall short of the dignity of human nature: little cares, produce little minds.

A great democratical republick, like Carthage in its latter days, is an hideous many-headed monster: an aristocracy, (abating jealousy) may have, at times, a torpid tranquillity within; but it is eternally on the verge of being overturned by some high-minded spirit, or of being shattered into a democracy soon ending in tyranny.

It is worthy observation, that the Venetian nobles, having within these few years become odious to their subjects, were seduced so far as to abolish the council of Ten, whose care was to watch the conduct of the nobles, and also
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to protect the citizens; and have, notwithstanding their usual jealousy, appointed three heads of the great families, to new-model and settle the republic, which we may be sure, they will not think themselves able to do in one day.

Progreſſion is the natural ſtate of all uncompounded republicks, large enough to defend themſelves. Thus each of them is a natural enemy to the reſt of mankind, and fails in the obſervance of the great command of the Creator, Peace and good will to men. Or elſe they endeavour to enervate and deprave the minds and debauch the manners and morals of the ſubject, which is well known to be the grand engine of government at Venice, the only great uncompounded republic of theſe times.

The Swiſs Cantons are the moſt perfect known model of a great compounded republic, conſiſting of a number of ſmaller republicks; independent, except as united, by a foederal union, for their mutual defence in war and tranquillity in peace. Theſe ſtates ſhew that the Roman Catholic religion is capable, in wiſe hands, of being modelled to liberty, even that of a democracy; as our neighbouring kingdom of Scotland gives a proof, if one
could

could be thought wanting, that the Presbyterian religion will bear at least a limited monarch.

Perhaps the sun sees few men, who enjoy greater liberty, with more virtue, and in greater plenty the necessaries and conveniences of life, than the inhabitants of the smaller Swiss Cantons, who are, for the most part, Papists.

In many of the larger cantons, aristocracy and corruption have taken firm hold, and the ease of the subject depends too much upon the particular virtue of the greater families: and upon the whole, the happiness of Switzerland arises, perhaps, almost as much from its situation as its form of government; both which, however, seem to agree so well together, that it may be a doubt, whether the introduction of even the British constitution would be an improvement.

Holland, perhaps, cannot, of late at least, be called a republic: it is rather a vast trading company, governed by an assembly of many directors, over which presides an hereditary chairman.

Most republics mentioned in history have ended in becoming members of a despotic monarchy;

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narchy;

narchy; which is uncontrolled authority in every part of an Empire, vested in, and exercised by a multitude of slaves without principle or knowledge, and appointed mediately or immediately by one person, the most ignorant, the most profligate, and the most wretched in the empire. The tyrant of a little state, may, if he pleases, not be a stranger to his subjects, and may know whom to trust; and those whom he has trusted may be kept under his eye. The despot of a great empire, being a stranger to infinitely the larger part of those to whom his caprice is a law, governs subjects whom he fears, by men whom he hates, and destroys his own family whom he both fears and hates.

Despotism mitigated, is absolute monarchy, of which, unreserved submission, respect and affection for the person and family of the monarch, are the very soul. Extreme injury and injustice to individuals are the price which must readily and frequently be paid for public tranquillity. The chain of obedience which links the subject to the throne being once broken, is with great difficulty, joined together. In France, perhaps the mildest of absolute governments, no less virtues and abilities than those of Henry the Fourth were required to reduce the nation to quiet; and for fifty years after his death the kingdom was almost incessantly
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in arms. Charles the Ninth having given his people the example of an assassination, his two immediate successors died by the hands of assassins. Let Princes who wish to be absolute, or to govern by any other constitution than the English, reflect that within the last twenty-five years, an Emperor of Russia was murdered; three Kings, those of France, Portugal and Poland were wounded by assassins; the Kings of Spain and Denmark have seen the guards and their palaces attacked; and a Queen of Denmark—Let them reflect and tremble.

However, it must be allowed that in an absolute monarchy, by strict attention to the words and actions of all the subjects, by domestic spies and other paltry means, and crushing opposition in embryo by a standing army, internal tranquillity is, in general, well preserved, which is the great advantage of this form of government. But as advantages have some drawback, greater often than the original advantage proposed; it may be possible in time, that these troops, the brilliant bawbles, and favourite playthings, the puppet shews of grown princes, may, with a knowledge of their own strength, acquire an inclination to make use of it, and rend their kingdom in pieces; or, like the Prætorian guards, and their successors the Janissaries, set the Empire at sale.

The happiness of the subject depends not only on the personal character of the monarch, but on that of his favourites of both sexes, and is affected by the passions of the favourites of favourites, in regular gradation *ad infinitum*.

Absolute monarchy is, in fact, a dominion of favourites, and if stolen in upon us, the future Marlboroughs and Rockinghams, must take care to stand well in the judgment of the favourite's lacquies; and Blakes, Ansons, and Howes, must endeavour to be in the good graces of the *Rays* of the Board of Admiralty. Honour and reward will be the price of flattery, and safety no where be found, for any rank, but in slavish submission to that above it. *Quot superiores tot tyranni, quot inferiores tot servi.* Privileges and exemptions, defeat the energy of the few good laws; and he who doubts, is thrust into a dungeon, and must often continue there till death, being absolutely forgotten, or for a time beyond all proportion to the offence, and indeed without any offence at all.

I will transcribe the following anecdote from the history of the Bastile, lately given to the world by that true friend to mankind, Mr. Howard.

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The Jesuits at Paris were honoured with the presence of Louis the Fourteenth at a play acted by their scholars, and the next morning they changed the inscription *Collegium Claremontanum Societatis Jesus*, into *Collegium Ludovici magni*, the King having as he went out, said, this is my college. A young scholar of quality it is said, posted up these verses on the college gate :

*Abstulit hinc Jesum, posuitque insignia Regis
Impia Gens, alium non colit illa Deum.*

The author, aged thirteen, was, as a matter of favour, it is said, condemned to perpetual imprisonment, and in 1705 having been a prisoner one-and-thirty years, and becoming the heir of his family, was let out of the Bastile, not without giving the Jesuits extensive proofs of his gratitude. Thus an offence, which in England would baffle the pedant's rod, in France was punished with perpetual imprisonment.

I have selected the above anecdote for the particular use of some tall boys, not double the age of the unfortunate sufferer, who have discovered, as they say, that the British constitution is not good enough for them, nor fit for any other gentlemen. They do not meet, it seems, with the respect they wish for, from the sturdy peasant or humourous mechanick. First let them prove that they deserve any respect at all,

all, and that they have shewn any to law, religion, decency, wisdom or common sense ; till when let them do us the honour to scorn all liberty but licentious debauchery, and deride any honour except in discharging their debts to sharpers.

The government of England has been by one limited monarch ever since the heptarchy. It has been said, though perhaps, hastily, that no country but our own has properly a constitution ; that is, a combination of established laws directing who shall govern, and how they shall govern, under the sanction of a settled method of redress, and punishment for those of our governors, who act contrary to those express or acknowledged laws or rules, or the known spirit of them. It is an impossibility that there should be a law against every excess, and the wit of man is always devising new mischief.

The spirit of those rules, that is to say, of the constitution, is to be discovered by analogy, and is the guide on all occasions when there is no express direction of law. It is then generally called the Constitution, and not improperly, as it is a part of the constitution, that the spirit of it in such cases should be the guide.

It is easily discovered, upon any emergency, through the medium of the Roman and univer-
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sal law, *salus populi suprema lex*. When no established law appears, the good of the people stands for a thousand laws ; and what is made a rule or precedent against that, may well be said to be contrary to the spirit of the constitution, and the constitution itself.

All free men will agree that this is a rule, but will often differ in the application of it. One man will think that a measure or law of advantage to the publick, which another may think of a dangerous tendency. There are therefore, certain marks which discover to any clear eye, that the bearer of them is anticonstitutional.

One of these marks, is novelty without necessity, or at least an evident and permanent advantage. If, for instance, beside the publick Embassador of the King and nation, a secret Chargé des Affaires is sent independant of the Embassador, it is a suspicious measure, I hope unwarranted by precedent in good former times ; and I should not hesitate to say it is an unconstitutional measure. Publick officers, employed out of their regular sphere, bear another mark of an unconstitutional measure ; as the Judges, for instance, when application is directed to be made to them for their extrajudicial opinion, without even hearing counsel,
upon

upon the servants tax; whereas if a trial ensues, they must either renounce their known opinion, to the diminution of their own dignity, if they really do change it; or be tempted to persevere in it at the expence of their conscience.

Montesquieu says, the direct object of our constitution is political liberty, by which it should seem that he means personal freedom, and security of property. These united form independance, which, at least, is so essential to the true object and end of all government, the happiness of the people according to the will of God, that it is the main spring of our constitution, whose energy maintains the powers and action of the whole machine, through all its complication.

The care of the constitution and government is entrusted to the Parliament, consisting of three independent political bodies, the King, Lords and Commons.

In the parliaments of other limited monarchies, the representatives of the nobility, clergy, and cities, have voted as separate bodies, though they have all had the same employment of raising money and proposing laws. No person, excepting perhaps the peers of France, had an
hereditary

hereditary seat in the Etats Generaux of France resembling our parliament; the noblesse elected deputies. In Sicily and many other countries, the heads of the noble families, most of which we should hardly call gentry, were their hereditary representatives. These formed a firm body against the encroachments of the Crown, and had a strong resemblance to our House of Lords. They were, in truth, able to overpower both King and people, even without the concurrence of the other bodies of representatives, among whom there were constant jealousies; each endeavouring to throw the burthen upon the other, and agreeing in one point only, to take no care of the peasantry and common people, by whom none of them were elected.

In Sweden, indeed, the peasants have chosen an order of representatives out of their own body, a custom noble in idea, and of advantage in practice; yet how can such men be qualified to judge *de arduis regni negotiis*? Or if they are able to reason, they will generally be overpowered by the other bodies, which, from some defect in their constitution, have all of them fallen at the feet of their psalm-singing King, who plainly told them, in 1772, that he should have no occasion for their company for six years; and he has been even better than his word; for he has never called them together since, nor

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ever will, as he has money to procure an army; and an army to provide money.

Happily for us, our parliament, by express law, meets annually, and the representatives are elected by the whole of the people supposed independant and capable of choice, in different districts. If all the representatives were elected by the counties at large, the government would verge to aristocracy; and commerce, and the common people, the bulk of the nation, for whose sake all other orders and ranks are formed and entrusted with power, would be slightly regarded. And if the House of Commons were filled by the representatives alone of the trading cities and boroughs, possibly all traffick might be laid aside, but the sale of their country.

The strength and utility of the House of Commons rests upon three pillars, the universality of its representation, unity of action, and the power of taxation; because by the former, all ranks of men, excepting the Peers, are naturally interested in its support; by the second they carry an undivided strength, and by the third are secured the connection and just dependance of the Crown upon the people. The state Icarus cannot soar to his fall without wings.

One of the greatest defects in the republican form of government, is the want of a resource, if political phrenzy should pervade the body of the people: for all assemblies of representatives are liable to be seduced by their own prejudices, and those of their constituents, and to be, if nearly unanimous, arbitrary; and if once thoroughly heated, can be intrinsically cooled only by time, often alas when too late.

The Constitution has, therefore, appointed the House of Peers the hereditary counsellors of the Crown, and censors of it and the people, to revise the resolutions of the Commons, moderate their zeal, temper their prejudices, and guard the just executive power of the Crown, from popular madness, or temporary design. In a word, the House of Peers, for the sake of the people, guards the Crown from the people, and the people from themselves. Another most important charge rests upon the House of Lords, which is the superintendence of the courts of justice. Being themselves the ultimate resort in civil matters, they are looked up to, with reverential awe, by all other courts of justice, however exalted. Hence no body of men, pretending to, or entitled by birth to a particular station, contains such a proportion of well educated, learned and able men, as the English Peers. To judge, to superintend is

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their hereditary duty ; to qualify themselves for its discharge is their delight.

The ecclesiastical part of the constitution is most happily formed. The clergy, as divines, are distinct from, as subjects and men, they are united in one body with the laity, tried by the same courts, joining with them in election of governors in parliament ; and the peculiar cause of religion, as well as the general good of the clergy and laity, is supported by the reverend fathers of the church, in the highest court of superintendence over the whole nation. Learning among the clergy has noble objects of encouragement, and a regular course to support and distinction, and is not tempted to degrade itself to popular cabals, much less to excite them, in order to secure a maintenance, or obtain consequence, and the delightful blessing of being feared.

It is a great defect, and common to absolute monarchies and republics, that great abilities, and eminent virtues and services, are looked upon with such jealousy, as often to reduce the ablest supporters of the state to the cruel dilemma, of endangering it, or being sacrificed to its safety. But under our happy constitution, an hero who should unite the courtly, elegant, and military talents of the great Duke of Marlborough, to the political abilities, eloquence,
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and the confidence of the people possessed by the late Lord Chatham, might expand his genius to the utmost, and satisfy his ambition, without causing just apprehension in the sovereign or the people, and without being at all induced to aim at self-defence in the ruin of his country. This I look upon as one of the most decided advantages of our constitution, above any other. The kingly office, joined to the reverence with which the possessor of the Crown and his family are regarded, stifles all inordinate ambition in embryo. No King of England can possibly be dethroned, unless he deserves it, by stupendous folly, or atrocious wickedness. A good King has no rival; nor can any effort of faction to raise its hero, make the nation forget that he was born to be a subject. This is a great blessing which the nation derives from the Crown; and scarcely less, is its activity in executing wise resolutions, and directing the powers, furnished for the good of the nation, by the other branches of the Parliament; and likewise, its power in balancing the two Houses, and guiding their efforts in the public service.

The King is the watchful intelligencer of the state, against the attempts of foreign powers: to him the management of the military is wisely entrusted, when the other branches of the Parliament have, with his assent, ascertained their
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number, provided for their payment, and fixed the laws by which they shall be judged. In return for these advantages, derived from the regal office, such confidence is placed in the King, that it is a maxim or fiction of law, that the King can do no wrong. The meaning or foundation of this supposition is plainly this : if every error in the conduct of the King were to be censured or punished in a court of justice, the Crown would lose its dignity, and the respect of the subject ; desperation might ensue, and redress could not be procured but by an insurrection. Are we then tamely to bear all injuries from the throne, or to have recourse at every turn to that dreadful expedient ?—Neither.

I have no doubt, as a King, or a constable, holds his office, merely for the good of the people, but that the sceptre of the one, and the staff of the other, may justly be taken from them, upon the first provocation, if the good of the people require, or permit it to be done. Yet, as this can rarely be effected without a civil war, let us reflect, that at such a time, all the mischiefs which could be brought into a country, by its most cruel enemies, pervade every part of it ; that all social and parental ties are broken ; that every pernicious passion is let loose ; while envy, hatred, and fraud provide weapons for ambition and anarchy to desolate the

the land. Extreme then surely must be the offence, great the probability of success, and evident the necessity, which can warrant an insurrection. The life time of a King, if wholly employed in a conspiracy against his people, is generally not of sufficient length to overthrow the constitution : the greatest danger arises from so sapping the foundations, that it may crumble, and be in ruins, before the eye can perceive it to totter. Nothing can justify an insurrection, unless a manifest, determined, and dangerous conspiracy of the government against the constitution. If this is not a justification, I do not know what will be such, for the glorious revolution ; unless it be not lawful for the subject to take arms against his King in any cause but that of the Church. The event, it must be remembered, is uncertain, as the means are horrible. Supposing the end be apparently obtained, and the tyrant humbled in the dust, will not another take his place, or seven devils worse than the former ? How difficult to restore peace ! Very few Kings could be trusted to keep a forced treaty ; not Charles the First, for instance, though intentionally a conscientious man : but we know that his conscience and casuistry inclined him to believe that he had an undoubted right to violate a forced treaty. But of all consequences the most pernicious is the laying open the way to the throne, to
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the ambition of leaders of parties. After the civil war in the last century, it was impossible to restore peace to the nation, but by the restoration of the royal family.

Does the constitution warrant an insurrection against government in any case whatever, may be asked; and where is the law which regulates rebellion? It may be objected, that laws are made for times of tranquillity; order is supposed by them: laws cannot be made for a time, when law is of course silent. Our laws are entrusted to the King, at least exercised in his name, and enforced by him; but will the sovereign enforce a law made against himself? against his own breach of law? No law was ever made in any nation commanding a King when to descend from his throne, or directing a nation when to pull him out of it. The Arragonians contented themselves with declaring to their King, at his coronation, that if he obeyed the law, they would obey him, if otherwise, they would not. Our forefathers, in the time of Edward the Confessor, and with the approbation afterwards of William the Conqueror, declare, that the King being the vicar of God to govern the nation, (not as a tyrant) if he does not do so, he shall lose the name of King. Yet even this, though tolerably plain English, and not easily misunderstood,

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is not precisely to the point; and the nation must, in all emergencies, trust to that law, by virtue of which the Romans destroyed Nero, and to that rule, by which God was pleased to strike from the throne of Israel so many Kings, because they went a whoring after their own inventions, and did evil in the sight of the Lord.

The Constitution, detesting extremes, has, for the ordinary course of government, while laws have power, provided a general remedy against evil administration, the wisest and most effectual the wit of man can devise, in this manner. What the King of England does himself, or permits his ministers to do, wisely, is attributed to his wisdom in hearing, and goodness in following the advice of wise and good men: whatever ill is done, by persons acting under his authority, and either with or without his privity, is considered by the law, as done by their advice and influence; and for injuries done to private persons or to the publick, those ministers are accountable to the ordinary courts of law, or to the Parliament, the palladium of the English constitution.

The King does and ought to appoint not only his own attendants, but also the servants of the publick, the great officers of state. They are volunteers; and if they undertake a

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task for which they are disqualified by ignorance, perverseness, profligacy, or cowardice, they are rightly punished for their rash attempt, and for their imposition upon their sovereign, who, if wise, will readily leave them to the punishment they merit. By the statute of Rhudland, even the Sheriff's first charge was, to enquire after the seducers of the King and kingdom, the Queen, her children, and their accomplices.

Such is the English constitution, maintaining internal tranquillity, at least as well as absolute monarchy, and abroad, terrible as a great republick, yet without inclination to invade its neighbour's peace to secure its own, and equally calculated for arms and arts, science and commerce; affording full scope and nurture for the vast genius. Hence our Marlboroughs and Chathams, our Miltons, Shakspeares, and Addisons, a nation of heroes in martial and literary fame, unparalleled in any country since the fall of Rome.

Having thus traced government from its origin, in the will of God for the happiness of mankind, through its progress, we may conclude that every kind of government has particular advantages, and if well administered are good in the sight of the supreme Being; and that the English Constitution uniting the advantages of
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all others, and being almost equally calculated for small or extensive dominions, and for all climates, from the stupifying polar regions to the enervating torrid zone, as best fulfilling the divine will, may justly be said to be *jure divino*; and as such merits, and in the fullness of time probably will be universal.

Why it has not of late produced its usual effects; whether it has suffered innovations, and whether the form has devoured the substance; and whence arise the evils with which we are now surrounded, even as in the valley of the shadow of death, may deserve a very serious enquiry.

Much encouragement has been given by administration to writers who had no one excellence to recommend them, except being born north of the Tweed, and misrepresenting the patriots who brought about the revolution, and the very principles of it. I hope, however, some English genius will rise, and, vindicating the honour of his forefathers and his country, use his utmost endeavours, like another Adhelmus, (mentioned by Gulielmus Malmsburiensis) *ut perfecti ingenii limâ eraderetur Scabredo Scotica.*

F I N I S.

